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ABSTRACT

This paper focuses on crime in American society, with emphasis on the causes of crime and delinquent behavior. A brief overview of numerous theories which have been advanced to explain causes of crime begins the paper. Among the theories discussed are those based on alcoholism, poverty, and perceived social injustice. Maintaining that these theories do not adequately explain crime and/or delinquent behavior, the author advances another explanatory theory--one which hypothesizes that current crime levels are due to society's failure to transmit positive values, norms, and attachments from one generation to another. As support for this theory, the author cites general evidence from religious, social, educational, and political leaders that spirituality has declined and families have been weakened. Specific reasons offered for the decline in values include mass media violence, broken homes, and decline in church attendance. Ways of turning the tide away from crime and delinquent behavior are suggested, including strengthening youth ties to value-reinforcing groups (special interest clubs in schools, church groups, community-focused youth participation projects), teaching values in schools, encouraging students to read literature which reinforces traditional values, and developing and implementing law-related education programs. (DB)

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CRIME AND THE DECLINE OF VALUES

by

Mark W. Cannon

Paper presented at the Annual Meeting of the Southwestern Judicial Conference (Santa Fe, NM, June 4, 1981).

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CRIME AND THE DECLINE OF VALUES*

Southwestern Judicial Conference
Santa Fe, New Mexico
June 4, 1981

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Justice Stanley Reed has reported that when the Supreme Court was deliberating over Public Utilities Commission v. Pollock, Justice Felix Frankfurter felt so strongly opposed to transit companies forcing audio advertising on their riders that he told the Justices he would disqualify himself. Justice Reed responded, "Felix, how can you feel so strongly about protecting captive audiences? You have been using the rest of us as a captive audience ever since you came here."

I appreciate the opportunity to address a captive audience of so many distinguished judges who are leaders in their states and communities.

Matthew Cossolotto, aide to Congressman Leon Panetta, wrote in the Washington Post about walking up to the front door of his home on Capitol Hill at 10:35 p.m.:

> It was then that I heard the gate squeak open behind us . . . . I felt the hard cold steel of a handgun against my head. . . . The handgun told me to open the door. . . . I realized that my world of values, of reason -- - in fact, my life itself -- counted for little. I opened the door and, under the gun's command, turned off the burglar alarm. . . . was forced to lie face down . . . .
>
> We were at the mercy of the two feral men. We did not know what they wanted from us, nor whether the next few moments might be our last.
>
> Then suddenly they disappeared into the night, taking . . . $31 and credit cards. Such was the extent of our tribute to the terrible god of crime, who for some unknown reason spared us . . . .

Early last Thursday morning one of the best loved gentlemen on Capitol Hill, delicatessen owner Charles Soloman, was beaten

*Final Text

to death after he returned to his deli. He had become a foster father to many of his customers and they were left shocked and choked with tears at the tragic death of this kindly man.

Recently a 17 year-old youth of a loving black family failed to return home for dinner, or to sleep. The family members were beside themselves. Their fears were realized the next day when he was found strangled, victim number 27 in Atlanta.

Last year, virtually one-third of all homes were victimized, and a reported 23,000 Americans were killed by criminals. This was up from 16,000 in 1970 and was four times as many Americans as were killed in combat per year in the Vietnam War.

If an illness suddenly struck one-third of our households, killing 23,000 Americans and costing us $125 billion per year, or if foreign-supported terrorists did the same, would we not rise up in alarm and mobilize our best intellects and harness our collective energies and resources to try to stop such devastation? We would devote ourselves unceasingly to the eradication of such an enemy.

A Newsweek survey revealed that 53 percent of Americans are afraid to walk in some areas within a mile of their homes at night. Although there is no panacea which will eliminate crime, anything which may reduce this malignancy, requires our attention.

Instead of attempting to prevent crime, we rely on law enforcement. But as Cossolotto says, "Police are society's bouncers, there to rid us of anti-social behavior after it occurs." Thoreau long ago stressed prevention, saying "For every thousand hacking at the branches of evil, there is one striking at the roots." Yet to examine the roots of crime is perplexing.

Numerous theories attempting to explain the causes of crime and delinquent behavior have been advanced. Some assert that anti-social behavior is often "neurological" or "psychological," and hence uncontrollable. Others maintain that sociological and cultural factors, including poverty and class-based frustrations, contribute heavily to crime. Crime is even viewed by some to be a "rational response" to the inequities of our capitalistic economic system. The sheer profitability of crime is cited as a cause, as is the use of alcohol and drugs. One study showed that only 29% of offenders had taken neither drugs nor alcohol before the offense.

Though alcoholism, poverty, and perceived social injustice all contribute to crime, there is a deeper force that is causing a breakdown of our society. These merely tip the raft of social order, while a deep current is moving the entire raft at a startling speed. That deep current is our failure to transmit positive values, norms, and attachments from one generation to another.

As Justice Powell has observed: "We are being cut adrift from the type of humanizing authority which in the past shaped the character of our people." He was not referring to governmental authority, but to "the more personal forms we have known in the home, church, school and community which once gave direction to our lives."

The U.S. Constitution, perhaps the most enduring product of western democracy, assumed two components of a well ordered polity: a political system which prescribed how people should live, and a metaphysical theory that explained why they should comport themselves thusly. Each component is inextricably bound to the other. James Madison, the architect of the Constitution, urged that in its adoption, people should "perceive a finger of that Almighty hand which has been so frequently . . . extended to our relief." But much of our intellectual community has in recent decades dismissed the metaphysical part as superstition or imagination.

We consequently live in a society where spirituality is denigrated. Arianna Stassinopoulous, former president of the Cambridge Union, wrote recently:

> The relegation of religion and spirituality to the irrational has been one of the most tragic perversions of the great achievements of Western Rationality, and the main reason for the disintegration of Western Culture.

Similarly recognizing the tremendous effect of spirituality and religious commitment upon society is Alexander Solzhenitsyn. He stated at Harvard:

> How did the West decline? . . .I am referring to the calamity of an autonomous, irreligious, humanistic consciousness . . . It will demand from us a spiritual blaze.

Not only has spirituality declined, but families have been weakened. Thirty percent of all children under six years of age live with just one parent or no parents at all. Michael Novak noted in Harpers:

> The family nourishes 'basic trust.' From this spring creativity, psychic energy, social dynamism. If infants are injured here, not all the institutions of society can put them back together. Familial strength that took generations to acquire can be lost in a single generation, can disappear for centuries. If the quality of family life deteriorates, there is no "quality of life."

Ironically, the very system that depends upon families for its subsistence too often undermines them through its institutions and legislation. "Almost everything about mobile, impersonal, distancing life in the United States -- tax policies, real-estate policies, the demands of corporations, and even the demands of modern political forms -- makes it difficult for families to feel ancient moral obligations," writes Novak.

Concomitant with the weakening of the family structure is the diminishing emphasis on ethics and values in our public schools. The Thomas Jefferson Research Center, a nonprofit institution studying America's social problems, reports that in 1775, religion and morals accounted for more than 90 percent of the content of school readers. By 1926 the figure was only six percent. Today it is almost nonexistent. A study of third grade readers reported that references to obedience, thoughtfulness and honesty began to disappear after 1930.

A majority of parents have considered the private school alternative, according to Newsweek. The desire of parents to have a "clear moral framework" for their children's education is one of the factors contributing to declining public school enrollments and increases in private schools.

Is it mere conjecture that values relate to crime or is there evidence? Few people have studied this question. Searching for such studies is like panning for gold. However, since they are both little known and yet important to the curtailing of crime, they warrant more emphasis than would be usual in a speech.

Sean O'Sullivan of Columbia University, in a study of families in the Bedford-Stuyvesant area of New York, found that law abiding youth most often came from homes where the father was present and the mother was active in church. "Discipline in a family cuts the chances of drug addiction in half," reported O'Sullivan. He also found a close link between drug addiction and fighting, skipping school, drinking, and driving without a license. O'Sullivan concluded that the "complete nuclear family," combined with discipline and religious faith was the best insulation from anti-social behavior, and therefore efforts at prevention of drug abuse and delinquency should concentrate on strengthening such families.

A thorough investigation by Peter O. Peretti indicates that when parents separate, youngsters tend to 'lose interest' in their values. Peretti adds, "It might be assumed that religion does play a part in inculcating youth and adults alike with the socially desirable values of a society." Albert Rhodes and Albert Reiss, in their significant article "The 'Religious Factor' and Delinquent Behavior," after elaborate statistical analysis found that boys with no religious preference committed twice as many crimes per thousand as those "having a religious preference."

The vitality of traditional values is shown by their relationship to achievement. Many people are astounded to learn that most young achievers hold much more traditional values than others their age. A 1980 poll of Who's Who Among American High School Students, with 24,000 responding, revealed:

- Eight out of ten belong to an active religion and 71% attend services regularly.
- Nearly half don't drink and 88% have never smoked cigarettes.
- A vast majority (94%) of these teens have never used drugs, including marijuana.
- Eighty percent do not think marijuana should be legalized and 90% wouldn't use it if it were.
- 76% of these teens have not had sexual intercourse.
- Some 87% of the survey group favor a traditional marriage.
- A good number (52%) watch less than 10 hours of television a week.

Allen Bergin, former professor of clinical psychology at Columbia, observed:

> If one considers the 50 billion dollars a year we spend on social disorders like venereal disease, alcoholism, drug abuse, and so on, these are major symptoms of social problems. Their roots, I assume, lie in values, personal conduct, morality, and social philosophy.

Alberta Siegel of Stanford wrote,

> Every civilization is only twenty years away from barbarism. For twenty years is all we have to accomplish the task of civilizing the infants . . . who know nothing of our language, our culture, our religion, our values, or our customs of interpersonal relations.

The increasing number of student assaults on unfortunate teachers, under-reported at 130,000 last year, is a commentary on how America has been "civilizing" its children.

Historically, families, churches and schools perpetuated societal norms and values. The deterioration of these

institutions, however, has left a void which is being filled by such institutions as television and motion pictures. Do the mass media influence behavior?

Television brings into our homes such outstanding programming as the voyage of the space shuttle, Pavarotti and the Met, and in-depth features on most important issues. But these are not the shows primarily watched by youth.

A child entering school has seen television more hours than would be spent in the classroom during four years of college. By the age of fourteen, the average child has witnessed on television the destruction of more than 12,000 people.

Many studies, reports, and articles on the audio-visual media's impact on our society underscore the concerns of many responsible analysts and leaders of the media.

An emerging body of scholarly literature indicates that violence is idealized on television; violent methods are the ones used most frequently for goal attainment. Many shows promulgate and encourage instant gratification. Deferment of gratification, often essential to the attainment of a larger reward later, is, on the other hand, subtly denigrated by many shows. One study showed that only half as many frequent television watchers were concerned about planning for the future as non-frequent watchers. Psychologist Victor Cline, editor of a collection of essays and empirical studies on values and the media, went so far as to state:

> Concerning probably no other issue in the social sciences has the evidence been so overwhelming or convincing as that regarding the influence of media violence on values and behavior. Television and motion pictures are powerful teachers of values, behavior, and social conduct.

The Surgeon General of the United States reported, "The overwhelming consensus and the unanimous Scientific Advisory Committee's report indicate that televised violence, indeed, does have an adverse effect on certain members of our society."

Alberta Siegel asks, regarding many television shows:

> How many instances are there of constructive interventions to end disagreement? What other methods of resolving conflict are shown? How many instances of tact and decency could an avid televiewer chronicle during the same hours? How often is reconciliation dramatized? What strategies for ameliorating hate are displayed? How many times does the child viewer see adults

> behaving in loving and helpful ways? What examples of mutual respect does he view? What can he learn about law and order? How many episodes of police kindness does he see? How frequently does the glow of compassion illuminate the screen?

Self-indulgence is often promoted and sensitivity and sympathy belittled.

Shifting values may explain the increasing tendency of delinquents to blame others -- society, other people, and their social and economic conditions -- for their actions. Last fall I visited the Union Gospel Mission in Seattle, which provides free beds and meals to thousands of unfortunate, rootless people. The Reverend Stephen Burger said a significant difference from the past was that "older down-and-outers readily admit having 'messed up their lives.' But the younger men have no moral concept that they have done anything wrong."

In short, the decreased teaching of traditional values and mores in our society and the rise of mass media as teachers of values have produced results which challenge our ingenuity.

Crime and delinquency cost us at least 125 billion dollars per year, forcibly alter our lives, destroy people, frighten and demoralize us, and may even threaten our civilization. The vast resources we commit each year to law enforcement, the courts, correctional institutions, rehabilitation, and crime prevention efforts have unfortunately not curtailed the surge of crime. We must therefore regroup, and explore additional methods to reduce and prevent crime.

Strengthen Youth Ties to Value-Reinforcing Groups

Institutions that encourage positive norms and a sense of personal responsibility should be strengthened. If Americans successfully fortify the foundations of pro-social behavior, rather than simply combat the symptoms of anti-social behavior, some embryonic crime will be eliminated. We must focus on the roots of the problem -- some of which are the beliefs, values, and attitudes being adopted by the young.

An illustration of how an established institution can help the young was shown by the Harvard Public Health School. As part of its preventive medicine program, it targeted smoking in junior high schools. Dr. Albert McAlister worked with non-smoking student leaders who had classroom discussions on questions such as why people smoke, showed films, and set up role playing on such problems as resisting taunts. He found that in some schools the number of new smokers could be cut in half. He also reported positive results dealing with alcohol and drugs.

Since the family, the church, the school, and the community have traditionally encouraged pro-social behavior by teaching values of integrity, accountability, planning for the future, service, and respect for others' rights, efforts should be made to strengthen people's affiliations with these entities. Strong ties to one or more of these encourage adherence to rules. Theories which maintain that people "stay out of trouble" because of their association with traditional institutions, termed "bonding theories," are becoming increasingly accepted by sociologists and criminologists.

Schools should strengthen and expand programs encouraging broad student participation, particularly by those who generally hang back, thereby providing more students with a sense of personal success. Successful involvement in meaningful activities, with clear and consistent reinforcement for positive behavior, strengthens the bonds which help prevent delinquent behavior. Such activities may be athletics, music, student government, special-interest clubs, or drama and dance. Major goals of these activities should be to heighten each student's sense of personal success, attachment to teachers and to school, and belief in moral order. Committed and competent teachers can also encourage student involvement and satisfaction with learning. John Steinbeck put it well:

> In her classroom our speculations ranged the world. She breathed curiosity into us, so that each morning we brought in new questions, cupped and shielded in our hands like captured fireflies. When she left us we were sad, but the light did not go out. She had written her indelible signature on our minds. I have had many who have taught me soon forgotten things, but only a few who created in me a new direction; a new energy. I suppose, to a large extent I am the unsigned manuscript of such a teacher. What deathless power lies in the hands of such a person.

The Center for Action Research reports, "The only important conventional affiliations for most young persons are the school and the family. When these deteriorate, there is usually nothing left. In practice, many youth do not even have the luxury of two independent affiliations." The number of conventional ties open to young people should be increased. An obvious option is through employment. Though many "make-work" programs have demonstrated little success in deterring delinquent behavior, the Center reports that significant "employment that creates an affiliation that the young worker does not want to jeopardize through misconduct . . . should deter delinquent behavior."

Community-focused youth participation projects can increase attachments to the neighborhood and community and thereby help

prevent delinquency. Community planning committees should include youths, organize activities, and seek to provide an environment for pro-social behavior. A major goal should be to include young people who are not typically involved in leadership roles in their schools.

Another possibility for increasing ties is through organized religion and service groups. By providing programs for youth and adults in athletics, arts, crafts, music, and community service, religious affiliations could be broadened and involve an increased proportion of young people. This, of course, should be done by church groups, since public schools are prohibited from promoting religions.

In short, we must find ways to increase the number of meaningful "bonds" our youth have with institutions encouraging pro-social behavior. If we do not, many youth will find reinforcement from less worthwhile sources.

Teach Values in Schools

One of the most effective ways to offset negative norms and behavior is to promote positive values in our schools -- even though this is difficult in a pluralistic society. Increased use of curricular materials and emphases that provide both the incentive and the resources for confronting problems of moral commitment and choice is a necessary first step. The Hon. Charles E. Bennett testified before a House sub-committee:

> The home and the church can no longer be solely relied upon. Today they are least available where most needed. These institutions today are no longer equipped to handle the job without help from our schools. Those children who are most in need of instruction are getting it least.

Congressman Bennett hopes that young people can "learn to formulate their own values in an open academic atmosphere where free discussion may improve and strengthen our culture."

A recent Gallup poll found that 79 percent of the public favored "instruction in the schools that would deal with morals and moral behavior." Only fifteen percent were opposed. As the Center for Action Research points out, such instruction could be carried out completely "within Constitutional limitations."

In 1967, Sandrah L. Pohorlak published a study conducted at the University of Southern California. She found that in over half the states, schools were required to teach ethics. Yet although many laws required instructors to teach ethics, 42 states provided nothing in the way of texts, guides, or other materials to help teachers deal with ethics and character in the classroom.

Amoral America, a book published in 1975, summarized a study by political scientists George C.S. Benson and Thomas S. Engeman. "Contemporary western society," wrote Dr. Engeman, "suffers from inadequate training in individual ethics. Personal honesty and integrity, appreciation of the interests of others, non-violence, and abiding by the law are examples of values insufficiently taught at the present time." Dr. Engeman continued, "Our thesis is that there is a severe and almost paralyzing ethical problem in this country . . . We believe that we can demonstrate that unlawful behavior is in part the result of the absence of instruction in individual ethics."

The Thomas Jefferson Research Center has identified case histories where dedicated, competent teachers have achieved remarkable improvements in discipline and deportment by emphasizing ethics and character in the classroom. For example, the Character Education Curriculum, developed by the American Institute for Character Education is a systematic program in ethical instruction for kindergarten through sixth grade. It has been tested in more than 400 schools in 19 states with dramatic success in a number of instances.

The Character Education Curriculum has been in continuous use at Wendell Phillips Public School #63 in a poverty area of Indianapolis since September 1970. Principal Beatrice M. Bowles described the school before character education:

> The building resembled a school in a riot area. Many, many windows had been broken, and the glass had been replaced with masonite . . . Most of the pupils were rude, discourteous, and insolent to the members of the faculty . . . The children had no school pride, very poor self-image, and were most disgruntled because they had to attend 'that old school.'

Mrs. Bowles reported surprising results during the six years after all of the teachers began using the character development program. "There has been less than $100 of glass breakage and this has been accidental. Student attitude has greatly improved . . . There is a feeling of one for all and all for one." Mrs. Bowles reported that "discipline and vandalism are no problem. . . . Our children are well behaved, courteous, and with few exceptions, achieving at maximum potential . . . . The program has been a tremendous success for us and our children."

Literature reinforcing traditional values need not be dull. Far from it. Much adult literature has become nihilistic, empty of moral content, and reflective of the view that life is meaningless and purposeless. Nevertheless, it is interesting that an author who has been popular with young people is Ray Bradbury who unabashedly believes America is a great success.

His science fiction is cheerful and reflects a clear sense of moral order.

Research shows it is practical to teach ethics in junior high school, high school, and at college levels. Don Hutson, speaking before the Phi Alpha Delta Law Fraternity, said:

> You don't become ethical when you pass the Bar. You don't suddenly find integrity by turning a faucet. And you can't find honesty at the corner drug store. It has to be learned, and understood, at the law schools, in the undergraduate schools, and yes even down into the high schools of America. That is where you learn the basic principles that ought to guide you as a lawyer.

Encouraging results also appear to be coming from nearly 500 "law-related education programs" established in recent years. Under these programs, information about the law, both the benefits it provides and the responsibilities it requires, is being disseminated among participating students from kindergarten to twelfth grade. This increases their ability to make informed and responsible decisions. Equally important as teaching substantive law is providing students with an understanding of the moral foundations of our legal system. Having been taught by judges, law students, and lawyers, students better comprehend and appreciate law enforcement, the judicial system, and legal concerns relevant to their personal lives and the reasons the legal system should receive support. It has been generally observed that student participation and interest in these programs is high. The first Values Education Commission in America, recently established in Maryland, found that there is "nothing in court decisions that would preclude the teaching of ethical content. It has been made equally clear that the schools have both the right and the duty to instill into the minds of pupils those moral principles which are so necessary to a well-ordered society."

Thus Frank Goble, President of the Thomas Jefferson Research Center, concluded that, based upon tens of thousands of hours of research, "an increase in quality and quantity of ethical instruction in our schools and other institutions is the only practical method to bring present exploding crime, violence, and delinquency under control."

Similarly, Owen V. Frisby, Vice President of the Chase Manhattan Bank, testified: "Without materials in the curriculum and much more emphasis on character building in the classroom and in our homes, we will not produce as many future leaders as we need to solve the enormous number of problems that will face the next generation." He continued, "The benefits of such an effort in the schools, in our homes and in the media would certainly be vast. It would mean less crime, less drug addiction, less

alcoholism, less violence in the classroom, less cheating on exams, less inflation because of a reduction in retail theft, more productivity, and a much happier society."

It is interesting to note that during Chief Justice Burger's February speech in Houston, the audience burst into spontaneous applause when he stated: "Possibly some of our problem of behavior stems from the fact that we have virtually eliminated from public schools and higher education any effort to teach values of integrity, truth, personal accountability and respect for others' rights."

Community Efforts

A backup to the more immediate socializing institutions of our society -- the home, school, and church -- is the community. Communities influence the development of their citizens by offering general norms and expectations for either deviant or conforming behavior. Crime rates are associated with characteristics of community areas.

Nineteen thousand Neighborhood Watch Programs have been created, providing unique protection for residential areas. Their social strategy of engaging neighborhood members in shared activities around the common goal of crime prevention develops a community pride and establishes community norms against crime. A report by the Center for Law and Justice at the University of Washington hypothesized that these norms can "contribute to a climate in which criminal actions are viewed by community youths as both risky and unacceptable rather than as a routine part of growing up." Furthermore, some junior watch programs in schools have been highly effective against drug dealers. The National Neighborhood Watch Association has taken on the important challenge of expanding and strengthening these programs, which encourage close cooperation between law enforcement officials and citizens, and allow communities to overcome sentiments of frustration and helplessness with regard to rising crime. A county police officer was quoted in the Washingtonian magazine as saying, "Ninety-nine percent of all arrests depend on citizens giving us information." Whatever the actual percent, the value of alert neighbors who inform police cannot be overstated.

Conclusion

In summary: Violent crime and juvenile delinquency have been ascending. Attempts to explain and fight crime have been, at best, only partially successful. The diminished influence of traditional institutions and our failure to promote ethical standards suggest another explanation for crime. Audio-visual media have partially replaced the family, church, school and community in conveying values to the oncoming generation, and these often appear to encourage hedonism and the use of force. We are in jeopardy of becoming a value-less society and of

encouraging decision-making by aggression instead of by reason and democratically established law. If this is the case, then possible avenues to pursue in the prevention and elimination of crime are: teach values in our schools; promote law related education so young people understand both the rights and the responsibilities of our constitution and legal system; increase youth activities by constructive organizations; guide children to quality media productions; increase the number of potential bonds or attachments citizens have with pro-social institutions; strengthen families and communities; and educate and constructively counsel delinquents. We must, in short, revitalize and strengthen the moral and ethical foundation of our society.

The possibility of reducing the scourge of crime exists. In addition to skilled, often courageous law enforcement and speedy, just courts, achieving this goal will require devotion, creative energy, and a more widespread commitment to values. There is evidence that more youth can be reached. A $14 million study of schools reached two major conclusions -- smaller schools do better than large ones, and it makes a difference when the school's principal is strongly committed to and encourages basic learning -- showing that students are far from impervious to effectively projected values of teachers.

Indeed, the stakes are high. Since decision-making power belongs to the entire citizenry, our system requires widespread responsibility and wisdom. Yet responsibility and wisdom are not ours by nature. They must be learned. If our society neglects this teaching, we do so at our peril. During the formative period of our nation, judges, particularly while circuit riding, helped explain and increase support for the new Constitutional system. So, like your predecessors, you also can educate citizens today to civic virtue, moral responsibility, and voluntary support of law. You should call their attention to the reasons to abide by the law and to make responsible, ethical contributions to improve our society. Hopefully, this will not only deter law breaking, but will also enrich the quality of life and happiness of our citizens. May we all rise to the challenge ahead!